

REMARKS

Applicant has carefully reviewed the Office Action mailed December 28, 2006, prior to preparing this response. Currently claims 1-30 are pending in the application, wherein claims 1-24 have been rejected and claims 25-30 have been withdrawn from consideration consequent an Examiner-induced requirement for restriction. Claims 13, 23 and 24 have been amended, claims 31-33 have been added, and claims 1-12 have been cancelled with this paper. Support for the amendments may be found at line 19 of page 4 through line 5 of page 5, for example. No new matter has been added. Favorable consideration of the following remarks is respectfully requested.

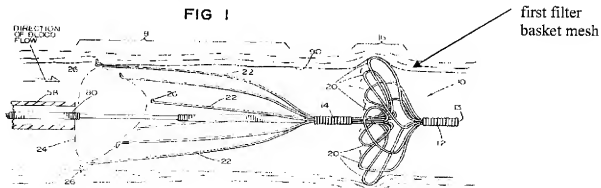
Election/Restriction

In view of the requirement to elect a single invention for examination, Applicants hereby affirm the election to prosecute the invention of a device, corresponding to claims 1-24.

Claim Rejections

Claims 1-6, 8-11, 13-17, 19-21 and 23-24 stand rejected under 35 U.S.C. §102(b) as being anticipated by Simon, U.S. Patent No. 4,425,908. Applicants respectfully traverse this rejection. Claims 1-6 and 8-11 have been cancelled with this paper.

Each of claims 13, 23 and 24 has been amended to recite that each of the bend regions of each of the filter legs extends radially outward from a central longitudinal axis at equidistant intervals. Simon at least fails to teach this arrangement of filter legs. Figure 1 of Simon is reproduced below for convenience.



Regarding the mesh of the first filter basket 16 shown in Figure 1, Simon states:

The mesh of first filter basket 16 is formed from the sections of wires between the two quarter-inch coils 12 and 14. *The mesh is made up of a series of seven overlapping loops 20 arranged to form a rosette approximately 25 mm in diameter.*

Simon, at column 6, lines 37-41 (emphasis added). Thus, as the loops 20 are overlapping one another, they cannot be said to be extending radially outward from a central longitudinal axis at equidistant intervals as currently claimed. The claimed arrangement of bend regions of the filter legs helps insure that the Applicants' blood clot filter is properly expanded within a vessel without entanglement of the bend regions of the filter legs. For at least this reason, claims 13, 23 and 24, as well as claims 14-17 and 19-21 which depend from claim 13 and include significant additional limitations, are believed patentable over Simon. Withdrawal of the rejection is respectfully requested.

Newly added claims 31-33, which depend from one of claims 13, 23 and 24, further describe the arrangement of bend regions of the claimed blood clot filter. Simon fails to teach such an arrangement. Therefore these claims are also believed to be patentable over the cited art.

Claims 7 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Simon, U.S. Patent No. 4,425,908, in view of Boylan et al., U.S. Patent No. 6,602,272. Applicants respectfully traverse this rejection. Claim 7 has been cancelled with this paper.

For at least the reasons stated above, Simon fails to teach that which is claimed in claim 13, from which claim 18 depends. Boylan fails to remedy the shortcomings of Simon regarding claim 13. Therefore, claim 18, which depends from claim 13 and includes significant additional limitations, is believed patentable over the cited combination of Simon and Boylan. Withdrawal of the rejection is respectfully requested.

Claims 12 and 22 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Simon, U.S. Patent No. 4,425,908, in view of Mazzocchi et al., U.S. Patent No. 6,949,103. Applicants respectfully traverse this rejection. Claim 12 has been cancelled with this paper.

For at least the reasons stated above, Simon fails to teach that which is claimed in claim 13, from which claim 22 depends. Mazzocchi fails to remedy the shortcomings of Simon regarding claim 13. Therefore, claim 22, which depends from claim 13 and includes significant additional limitations, is believed patentable over the cited combination of Simon and Mazzocchi. Withdrawal of the rejection is respectfully requested.

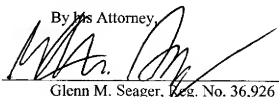
Reexamination and reconsideration are respectfully requested. It is submitted that all pending claims are currently in condition for allowance. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at 612.677.9050.

Respectfully submitted,

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By s Attorney,

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